

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

18688

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/525363**

INTERNATIONAL APPLICATION NO.

PCT/AU2003/001078

INTERNATIONAL FILING DATE

22 August 2003 (22-08-2003)

PRIORITY DATE CLAIMED

23 August 2002 (23-08-2002)\*

TITLE OF INVENTION

**A METHOD OF TREATMENT AND PROPHYLAXIS**

APPLICANT(S) FOR DO/EO/US

**Kathryn Elizabeth Lawlor, Ian Peter Wicks, Ian Keith Campbell, Andrew Warwick Roberts and Donald Metcalf**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

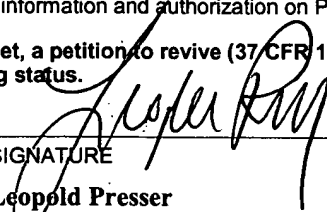
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV213899680US**
23. ☒ Other items or information:

**\*Continuation of Priority Date Claimed: 29 August 2002 (29-08-2002)****Courteous copy of international application; sixteen (16) sheets of drawings****Assignee: THE WALTER AND ELIZA HALL INSTITUTE OF MEDICAL RESEARCH of  
Parkville, Victoria, Australia**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known) <b>10/525383</b> <small>See 37 CFR 1.53</small>		INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/001078</b>		ATTORNEY'S DOCKET NUMBER <b>18688</b>	
24. The following fees are submitted:				<b>Applicant use</b>	<b>Office use</b>
<input checked="" type="checkbox"/> a) Basic national fee ..... <b>\$300.00</b>				\$	\$300.00
<input checked="" type="checkbox"/> b) Examination fee ..... <b>\$200.00</b>				\$	\$200.00
<input checked="" type="checkbox"/> c) Search fee ..... <b>\$500.00</b>				\$	\$400.00
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$	\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	/50 =		x \$250.00	\$	\$0.00
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	45 - 20 =	25	x \$50.00	\$	\$1,250.00
Independent claims	6 - 3 =	3	x \$200.00	\$	\$600.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$2,880.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$2,880.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$2,880.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$2,880.00
Amount to be refunded:					\$
Amount to be charged:					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>\$2,880.00</b> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>19-1013/SSMP</b> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: <b>SCULLY, SCOTT, MURPHY &amp; PRESSER</b> 400 Garden City Plaza - Ste. 300 Garden City, New York 11530 (516) 742-4343					
				SIGNATURE  <b>Leopold Presser</b>	
				NAME <b>19,827</b>	
				REGISTRATION NUMBER	

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Kathryn E. Lawlor, et al.

Docket No. 107529363  
DT01 Rec'd PCT/PTO 23 FEB 2005

Application No.

Unassigned

Filing Date

Herewith

Examiner

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

Invention: **A METHOD OF TREATMENT AND PROPHYLAXIS**

I hereby certify that the following correspondence:

New U.S. PCT Patent Applicaiton

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 23, 2005*(Date)*Leopold Presser*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EV213899680US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Kathryn E. Lawlor, et al.

Docket No.  
**107525363**DT01 Rec'd PCT/PTC 18688  
23 FEB 2005

Application No.

Unassigned

Filing Date

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Examiner

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*(Signature of Person Mailing Correspondence)*EV213899680US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**